

REMARKS

In response to the Decision on Appeal issued July 29, 2011 (the “Decision”) and the subsequent Action of October 27, 2011 (the “Office Action” or “Action”), Applicant requests the preceding amendments and consideration of the following remarks.

Status of Claims

Claims 3-5, 19 and 57 were cancelled previously without prejudice or disclaimer.

Under the imposition of a previous Restriction Requirement, claims 21-36 and 45-47 were withdrawn from consideration and subsequently cancelled without prejudice or disclaimer.

Thus, claims 1, 2, 6-18, 20, 37-44 and 48-56 are currently pending in the application and were subject to the Decision.

Allowable Subject Matter:

In the outstanding Office Action, the Examiner allowed claims 6-11, 14, 15, 38-41 and 51-56. Applicant wishes to thank the Examiner for this identification of allowable subject matter.

The recent Office Action also contains a statement of reasons for the allowance these claims. (Action, p. 4). Applicant agrees with the Examiner's conclusions regarding patentability, without necessarily agreeing with or acquiescing in the Examiner's reasoning, whether explicit or implicit. Applicant believes that the application is allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the claims or claimed subject matter may be paraphrased.

35 U.S.C. § 112, Second Paragraph:

(1) In the recent Office Action, claims 1, 2, 18, 20, 37, 43-44 and 48-50 were rejected under 35 U.S.C. § 112, second paragraph. (Action, p. 2). These claims have been carefully reviewed in light of the Examiner's comments.

While Applicant does not necessarily agree that any of these claims were indefinite previously, the indicated claims have been amended herein to address the issues raised by the Examiner under 35 U.S.C. § 112, second paragraph. Following this amendment, all the remaining claims are believed to be in compliance with 35 U.S.C. § 112 and notice to that effect is respectfully requested.

(2) Regarding claims 12, the Action pointed out that claim 12 should depend from claim 10 instead of claim 1. (Action, p. 2). Accordingly, claim 12 has been so amended in the present paper.

(3) Regarding claims 16, the Action pointed out that claim 16 should depend from claim 14 instead of claim 1. (Action, p. 3). Accordingly, claim 16 has been so amended in the present paper.

Conclusion:

Following entry of this amendment, all the issues presented in the Decision are thought to have been completely resolved. Consequently, the present application should be in condition for immediate allowance, and notice to that effect is respectfully requested.

If the Examiner has any comments or suggestions which could place this application in better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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